

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John A. Speis
Debtor(s)

Bankruptcy Case No.: 15-24674-CMB
Per April 8, 2021 Proceeding
Chapter: 13
Docket No.: 92 – 86, 90
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 21, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,275.00 as of April, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: HSBC (Cl. #5) with payment changes implemented; Jameson Health System (Cl. #2) .
- ☒ H. Additional Terms: Westlake Financial to be paid as long term continuing debt.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: April 13, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
John A. Speis
Debtor

Case No. 15-24674-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Apr 13, 2021

User: dric
Form ID: 149

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Total Noticed: 55

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 15, 2021:

Recip ID	Recipient Name and Address
db	+ John A. Speis, 3007 Old Pittsburgh Rd., New Castle, PA 16101-6086
cr	+ Shenango China Area FCU, 2656 Ellwood Rd, Suite 1, New Castle, PA 16101-6282
14156265	+ AMY J SPEIS, 3391 CELENA CIRCEL, Saint Cloud, FL 34769-5911
14156266	+ ATTORNEY PAULA CIALIA, 113 N. MERCER ST., New Castle, PA 16101-3813
14156263	+ Aes/Pheaa, Po Box 61047, Harrisburg, PA 17106-1047
14156264	+ Aes/Pheaa Rehabs, Po Box 61047, Harrisburg, PA 17106-1047
14175241	+ Attorney Paula Cialla, 113 N Mercer St., New Castle, PA 16101-3813
14156267	+ Bank Of Oklahoma Mtg, 7060 S Yale Ave, Tulsa, OK 74136-5711
14212614	++ COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157 address filed with court:, Columbia Gas of Pennsylvania, P.O. Box 117, Columbus, OH 43215
14156272	Chase, Po Box 901003, Columbus, OH 43224
14369786	ECMC, PO Box 16408, St. Paul, MN 55116-0408
14175243	+ FNB, One FNB Blvd., 5th Floor, Hermitage, PA 16148-3347
14156282	+ First National Bank of PA, One FNB Blvd., 5th Floor, Hermitage, PA 16148-3363
14156283	+ HERTZ LOCAL EDITION, HLE COMMERCIAL DEPT 1153, PO BOX 121154, DALLAS, TX 75312-1154
14156286	+ HSBC BANK USA, 3815 SOUTH WEST TEMPLE, PO BOX 65250, Salt Lake City, UT 84165-0250
14234737	+ HSBC Bank USA et al c/o, Select Portfolio Servicing, Inc., P.O. Box 65450, Salt Lake City, UT 84165-0450
14189842	+ Hladik, Onorato & Federman, LLP, 298 Wissahickon Ave., North Wales, PA 19454-4156
14156284	+ Hsbc Auto, 6602 Convoy Ct, San Diego, CA 92111-1000
14156285	+ Hsbc Bank, Po Box 9, Buffalo, NY 14240-0009
14156288	+ I C System Inc, Po Box 64378, Saint Paul, MN 55164-0378
14156289	+ Jameson Health Sys., 1211 Wilmington Rd., New Castle, PA 16105-2516
14156290	+ Lawrence County Prothonotary, 430 Court St., New Castle, PA 16101-3558
14189144	+ Lawrence County Sheriff, 430 Court St., New Castle, PA 16101-3503
14156292	+ MDJ MELISSA AMODIE, 430 COURT ST., New Castle, PA 16101-3503
14156294	+ NCB (CITI FIN AUTO), PO BOX 1099, Langhorne, PA 19047-6099
14156295	+ Omni Mngt, PO BOX 8749, Toledo, OH 43623-0749
14159792	+ PHEAA, PO Box 8147, Harrisburg PA 17105-8147
14156297	+ Santander Consumer Usa, Po Box 961245, Ft Worth, TX 76161-0244
14158596	Security Credit Services, LLC, c/o Five Lakes Agency, Inc., P.O. Box 80730, Rochester, MI 48308-0730
14156298	+ Shenango China Efcu, 2656 Ellwood Rd., Suite 1, New Castle, PA 16101-6282
14156299	+ Snow and Snow, PC, 215 W Elizabeth St., New Castle, PA 16105-1947
14156303	+ Tnb - Target, Po Box 673, Minneapolis, MN 55440-0673
14156307	++ WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING, ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203 address filed with court:, Wells Fargo Hm Mortgag, 8480 Stagecoach Cir, Frederick, MD 21701
14156308	+ Wf Crd Svc, 3201 N 4th Ave, Sioux Falls, SD 57104-0700
14156309	+ Wfdillards, Po Box 14517, Des Moines, IA 50306-3517
14156310	+ Zucker, Goldberg & Ackerman, LLC, 200 Sheffield St., Mountainside, NJ 07092-2314

TOTAL: 36

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

District/off: 0315-2

User: dric

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Date Rcvd: Apr 13, 2021

Form ID: 149

Total Noticed: 55

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14156268	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Apr 14 2021 09:29:28	Cap One, Po Box 85015, Richmond, VA 23285
14156269	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Apr 14 2021 09:45:58	Capital One Bank Usa N, 15000 Capital One Dr, Richmond, VA 23238
14156275	Email/Text: convergent@ebn.phinsolutions.com	Apr 14 2021 09:18:00	CONVERGENT, PO Box 9004, Renton, WA 98057-9004
14156270	+ Email/Text: bankruptcy@cavps.com	Apr 14 2021 09:18:00	Cavalry Portfolio Serv, Po Box 27288, Tempe, AZ 85285-7288
14156271	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Apr 14 2021 09:38:01	Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
14156273	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Apr 14 2021 09:29:58	Citi, Po Box 6241, Sioux Falls, SD 57117-6241
14156274	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Apr 14 2021 09:29:45	Citi-Bp Oil, Po Box 6497, Sioux Falls, SD 57117-6497
14156276	+ Email/Text: ebnotifications@creditacceptance.com	Apr 14 2021 09:16:00	Credit Acceptance, Po Box 513, Southfield, MI 48037-0513
14156277	+ Email/PDF: creditonebknottifications@resurgent.com	Apr 14 2021 09:37:39	Credit One Bank Na, Po Box 98875, Las Vegas, NV 89193-8875
14156291	Email/PDF: Citi.BNC.Correspondence@citi.com	Apr 14 2021 09:30:03	Mcydsnb, 9111 Duke Blvd, Mason, OH 45040
14156279	+ Email/Text: mrdiscen@discover.com	Apr 14 2021 09:16:00	Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
14156281	+ Email/Text: bknotice@ercbpo.com	Apr 14 2021 09:18:00	Enhanced Recovery Co L, 8014 Bayberry Rd, Jacksonville, FL 32256-7412
14156293	+ Email/Text: bankruptcydpt@mcmcg.com	Apr 14 2021 09:17:00	Midland Funding, 8875 Aero Dr Ste 200, San Diego, CA 92123-2255
14156296	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Apr 14 2021 09:29:37	Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
14156300	Email/PDF: cbp@onemainfinancial.com	Apr 14 2021 09:29:14	Springleaf Financial S, 2656 Ellwood Rd Unit 21, New Castle, PA 16101
14156301	+ Email/PDF: gecsed@recoverycorp.com	Apr 14 2021 09:37:27	Syncb/Lord & Tay, Po Box 965015, Orlando, FL 32896-5015
14156302	+ Email/PDF: gecsed@recoverycorp.com	Apr 14 2021 09:37:27	Syncb/Plcc, Po Box 965024, Orlando, FL 32896-5024
14156305	+ Email/Text: wfmelectronicbankruptcyntifications@verizonwireless.com	Apr 14 2021 09:16:00	Verizon, 500 Technology Dr Suite 300, Weldon Spring, MO 63304-2225
14156306	+ Email/Text: bnc-bluestem@quantum3group.com	Apr 14 2021 09:18:00	Web Bank, 215 S State St Ste 800, Salt Lake City, UT 84111-2339

TOTAL: 19

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		HSBC Bank USA et al c/o Select Portfolio Servicing
cr		HSBC Bank USA, National Association, as Trustee for
cr		HSBC Bank USA, National Association, as Trustee fo
14156287		Hsbc/Scusa
cr	*	ECMC, P.O. BOX 16408, ST. PAUL, MN 55116-0408
14175242	*	Convergent, PO Box 9004, Renton, WA 98057-9004
14156278	##+	DAVID WAGNER, 416 E SHERIDAN AVE., New Castle, PA 16105-2627
14156280	##+	Eastern Account System, 75 Glen Rd Ste 110, Sandy Hook, CT 06482-1175
14156304	##+	TWIN AIR HEATING & COOLING, 2625 HARLABURG RD., New Castle, PA 16101-9687

District/off: 0315-2

User: dric

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Date Rcvd: Apr 13, 2021

Form ID: 149

Total Noticed: 55

TOTAL: 4 Undeliverable, 2 Duplicate, 3 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 15, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 13, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor HSBC Bank USA National Association, as Trustee for People's Choice Home Loan Securities Corp., People's Choice Home Loan Securities Trust Series 2005-1, Mortgage-Backed Notes, Series 2005-1 bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor HSBC Bank USA National Association, as Trustee for People's Choice Home Loan Securities Corp., People's Choice Home Loan Securities Trust Series 2005-1, Mortgage-Backed Notes, Series 2005-1 bnicholas@kmlawgroup.com
Danielle Boyle-Ebersole	on behalf of Creditor HSBC Bank USA et al c/o Select Portfolio Servicing Inc. dboyle-ebersole@orlans.com
Louis R. Pomerico	on behalf of Debtor John A. Speis info@pomericolaw.com pmcarr1920@outlook.com;loupom@aol.com;r50803@notify.bestcase.com
Matthew Christian Waldt	on behalf of Creditor HSBC Bank USA National Association, as Trustee for People's Choice Home Loan Securities Corp., People's Choice Home Loan Securities Trust Series 2005-1, Mortgage-Backed Notes, Series 2005-1 mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 7